

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CASE NO. 05-85009-JB
)	
DWAYNE LAWRENCE BLAND,)	CHAPTER 7
)	
Debtor.)	

ORDER

Debtor Dwayne Lawrence Bland filed a Chapter 7 case *pro se* October 17, 2005. In most cases, the bankruptcy law in effect for cases filed on or after October 17, 2005 requires that individual debtors receive a credit briefing from an approved credit counseling service BEFORE a bankruptcy case is filed. If a debtor has not received such a briefing, he is not eligible to file a bankruptcy case unless he qualifies for an exemption under §109(h)(4) of the Bankruptcy Code or submits a certification under §109(h)(3) of the Bankruptcy Code that is satisfactory to the Court.

In his voluntary petition, "Certification Concerning Debt Counseling by Individual/Joint Debtor(s)", debtor checked the box that states as follows: "I/we request a waiver of the requirement to obtain budget and credit counseling prior to filing based on exigent circumstances." The papers submitted by the debtor do not appear to contain any certification of exigent circumstances as required under 11 U.S.C. §109(h)(3) or any statements supporting a waiver under §109(h)(4).

A hearing will be held on **November 14, 2005 at 2:00 P.M.**,

COURTROOM 1402, UNITED STATES COURTHOUSE, RICHARD B. RUSSELL
FEDERAL BUILDING, 75 SPRING STREET, S.W., ATLANTA, GEORGIA to allow
the debtor to present the factual basis of his request for a waiver of the requirement that
he receive the credit briefing before filing for Chapter 7 relief.

For debtor's information, the list of approved credit counseling agencies is
attached to this Order.

IT IS SO ORDERED, this _____ day of November, 2005.

JOYCE BIHARY
UNITED STATES BANKRUPTCY JUDGE

CERTIFICATE OF MAILING

A copy of the foregoing Order and Notice of Hearing was mailed to the following:

Chapter 13 Trustee
Suite 1100, Equitable Building
100 Peachtree Street
Atlanta, GA 30303

Leticia Alexander
1119 Willow Crest Way
Austell, GA 30168

Judicial Assistant to Judge Bihary

Mailed: _____